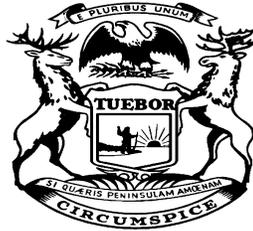


STATE OF MICHIGAN



HON. JENNIFER A. MAZZUCHI
Circuit Judge

25th JUDICIAL CIRCUIT

County Courthouse
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Marquette, MI 49855

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To: Judiciary Committee Chairman Graham Filler

From: Hon. Jennifer A. Mazzuchi - 25th Circuit Court Judge

Date: May 28, 2021

Re: HB 4656 - Written Testimony

Dear Chairman Filler:

Please accept this document as my written testimony in support of House Bill 4656. I am certainly willing to testify by Zoom or in other format if that would be helpful to the Committee.

Since 2009, I have served as a Judge in the 25th Circuit Court in Marquette. Prior to that, I worked as an Assistant Prosecuting Attorney for Marquette County, so I am beginning my 25th year of working in the court system in Marquette County. For the vast majority of those years, the courts in Marquette County were served by two District Court Judges, two Circuit Court Judges, and one Probate Court Judge.

In 2011, the SCAO Judicial Resource Recommendations report (JRR) recommended eliminating numerous judicial positions throughout the Upper Peninsula and across the state of Michigan. The recommendations were made in part based on an extensive analysis that was conducted by SCAO and which utilized data that had been collected in the years leading up to 2011. In 2012, the legislature ratified a series of bills which adopted many of the JRR recommendations for eliminating judicial positions by attrition, or on the retirement of those currently in office. In Marquette County, the Circuit Court was reduced to one judge effective January 1, 2017.

Following the reduction, the remaining judges in all courts have worked to shift caseloads to accommodate the change through a concurrent jurisdiction plan, which has judges from District and Probate Court handling some of the Circuit Court caseload. Such efforts have been successful in part in addressing the reduction, but recent caseload increases have made continuing this approach more difficult.

The workload in Marquette County is significant. In 2019, SCAO reported that 23% of the caseload in the Upper Peninsula is handled by Marquette County. Our felony caseload in Marquette County is at an unprecedented high. In the three years leading up to the 2011 JRR, Marquette County averaged 224 felony cases per year. Since that time, the felony caseload has increased dramatically, and in the past five years the numbers are as follows:

2016: 287 cases

2017: 343 cases

2018: 391 cases

2019: 406 cases

2020: 471 cases

Even without regard to the impact of COVID-19 on the court's docket, these numbers present significant challenges with our existing judicial resources. It is important to note that the Circuit Court handles a wide variety of case types other than felonies. It is not realistic that one person could handle this caseload, along with all domestic relations and other civil litigation matters that are filed in Circuit Court.

The reduction in judicial resources has had an impact on the community as well. For several years the county has operated a Sobriety Court, a Juvenile Drug Treatment Court, and a Drug Treatment Court. Maintaining these specialty courts is challenging with a 20% reduction in judges and an increased felony caseload.

Our local Veterans Services Office has expressed interest in establishing a Veterans Court in Marquette County. While we make efforts to recognize and consider mental illness in traditional bond, sentencing, and probation orders, we lack the degree of oversight a specialty court can offer. We believe that a specialty court directed toward increasing service to both veterans and to the mentally ill would be of significant benefit to our local court operations. However, at existing judicial staffing levels this is impossible.

We respectfully request that the 25th Circuit Court be restored to two judges. This restoration will enable us to continue our existing specialty court operations, handle our increased caseload in a timely manner, and work to establish a Hybrid Mental Health/Veterans Treatment Court in Marquette County in conjunction with our local Veterans Service Office and community mental health providers.

Thank you for the opportunity to offer testimony in support of House Bill 4656. I appreciate your consideration of our request, and I welcome the opportunity to answer questions or provide further information.

Sincerely,

Hon. Jennifer A. Mazzuchi
25th Circuit Court